- 5 -

REMARKS

The specification has been amended to provide a clause on pages 5 and 6, which clause is identical to claim 4, as amended in today's response. Claim 4 has been amended to combine the elements of claim 7 as suggested by the Examiner and claim 7 has been cancelled. Claim 8 has been amended to reflect the correct dependency, now being dependant from claim 6. Claims 1-6 and 8 remain in this application and stand for examination. Reconsideration and reexamination are requested in view of the foregoing amendments and the comments made hereinafter.

Rejection of claim 4 for indefiniteness

The Examiner rejects claim 4 for indefiniteness under 35 U.S.C. 112, second paragraph and MPEP 2172.01. The Examiner suggests the incorporation of the elements of claim 7, into claim 4 and thereafter cancelling claim 7.

By today's paper, the suggestions made by the Examiner have been adopted. Claim 4 has been amended to include the recitals previously contained in claim 7 and claim 7 has been cancelled. The dependency of claim 8 has been altered to agree with the cancellation of claim 7.

Indication of allowable subject matter

The Examiner's indication of allowable subject matter in respect of claims 1-3 is noted with appreciation. The comments of the Examiner directed towards those claims are also

- 6 -

noted.

The objections of the Examiner directed towards claims 5-8 are noted. Claim 7 has now been cancelled with it's recitals now being included in claim 4. It is therefore submitted that these claims should likewise now be in allowable form.

Objections to the drawings

The objections to the drawings are noted from Form PTO-948 and applicant acknowledges the informality of the drawings.

It is intended to file formal drawings upon allowance of the application and the requirement for amended drawings is respectfully requested to be held in abeyance until that time.

In view of the above, it is submitted that this case is now in condition for allowance. Reconsideration and removal of the objections and rejections are requested and allowance of claims 1-6 and 8 is solicited.

Respectfully submitted,

SPARTAN CONTROLS LTD.

Per: John R. Uren

Regn. No. 27,530

- 7 -

Date: February 17, 2004

John Russell Uren, P.Eng. Suite 202, 1590 Bellevue Avenue West Vancouver, British Columbia V7V 1A7 Canada

Telephone:

(604) 922-2997 (West Vancouver)

(360) 945-3411 (Washington State)

uspto/response/spa61201.wpd